

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

THOMAS LEDALE LEE,)
Plaintiff,)
v.) NO. 3:10-0561
AUSTIN BODIE, Administrator,) Judge Haynes/Bryant
and ABL MANAGEMENT, INC.,)
Defendants.)

TO: The Honorable William J. Haynes, Jr.

REPORT AND RECOMMENDATION

On June 6, 2011, the Court granted plaintiff's motion for leave to proceed in forma pauperis and directed the Clerk to mail to plaintiff a service packet for each defendant. The Court's order warned plaintiff that his failure to return the completed service packets within the time required by this order could jeopardize his prosecution of this action (Docket Entry No. 15).

It appears from the record that plaintiff Lee signed the mail receipt for the order and the service packet on June 15, 2011 (Docket Entry No. 17). It further appears from the record that, despite the Court's admonition, plaintiff has failed to return the completed service packet.

RECOMMENDATION

For the reasons stated above, the undersigned Magistrate Judge **recommends** that the complaint be **dismissed** pursuant to Rule 41 of the Federal Rules of Civil Procedure for plaintiff's failure to comply with the Court's order requiring return of the completed

service packets and for plaintiff's failure otherwise to prosecute this action.

Under Rule 72(b) of the Federal Rules of Civil Procedure, any party has fourteen (14) days from service of this Report and Recommendation in which to file any written objections to this Recommendation, with the District Court. Any party opposing said objections shall have fourteen (14) days from receipt of any objections filed in this Report in which to file any responses to said objections. Failure to file specific objections within fourteen (14) days of receipt of this Report and Recommendation can constitute a waiver of further appeal of this Recommendation. Thomas v. Arn, 474 U.S. 140 (1985), reh'q denied, 474 U.S. 1111 (1986).

ENTERED this 5th day of June, 2012.

s/ John S. Bryant
JOHN S. BRYANT
United States Magistrate Judge